

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

PRODUCT MANAGEMENT SERVICES,

Plaintiff,

v.

CIVIL ACTION NO. 2:24-cv-00327

SPATZ LABORATORIES, et al.,

Defendants.

ORDER

Before the Court is Plaintiff Product Management Services c/o Kandance Wells' ("Plaintiff") Complaint, (ECF No. 2), and Application to Proceed Without Prepayment of Fees, (ECF No. 1). By standing order, this matter was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition ("PF&R"). (ECF No. 4.) On May 14, 2025, Magistrate Judge Tinsley filed his PF&R recommending that the civil action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. (ECF No. 13.)

This Court is not required to review, de novo or under any other standard, factual or legal conclusions contained within the PF&R to which no objections were addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and Plaintiff's right to appeal this Court's order. 28 U.S.C. § 636(b)(1); see also *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a de novo review when a party "makes

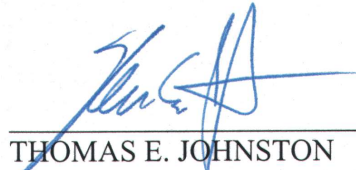
general and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

Objections to the PF&R in this case were due on June 2, 2025. (ECF No. 13.) To date, Plaintiff has not filed any objections, thereby waiving de novo review of Magistrate Judge Tinsley's PF&R. Accordingly, this Court **ADOPTS** the PF&R, (ECF No. 13), and **DISMISSES WITH PREJUDICE** this civil action pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: September 9, 2025

A handwritten signature in blue ink, appearing to read 'Thomas E. Johnston', is written over a horizontal line.

THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE